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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Juzer Jangbarwala
Appl. No.: 09/916,062
Filed: July 26, 2001
Docket No.: 1777
Conf. No.: 7740
Title: **ELECTROWINNING CELL INCORPORATING METAL ION
FILTRATION APPARATUS**
Art Unit: 1742
Examiner: Donald R. Valentine
Action: **PETITION PURSUANT TO 37 C.F.R. § 1.28 FOR PAYMENT OF
DEFICIENCIES**
Date: March 8, 2004

TO: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.27(g)(2), Applicant/Patentee for the above-identified application notified the Patent and Trademark Office that he was no longer entitled to small entity status. Accordingly, payment of the Issue Fee, which was paid on March 1, 2004, was paid as large entity and was accompanied by a written Notification of Loss of Small Entity Status.

Applicant/Patentee was properly entitled to claim small entity status at the time of paying the basic filing fee, but lost his entitlement to small entity status prior to the date upon which the Issue Fee became due. As provided in 37 C.F.R. 1.27(g)(1):

Once small entity status is established in an application or patent, fees as a small entity may *thereafter be paid* in that application or patent *without regard to a change in status* until the issue fee is due or any maintenance fee is due. (emphasis added).

See also MPEP § 509.03, p. 500-40 (August 2001 Rev. 1 of Feb. 2003).

03/12/2004 SDENBOB1 00000031 09916062

01 FC:2201 86.00 OP

03/12/2004 SDENBOB1 00000031 09916062

02 FC:2253 475.00 OP

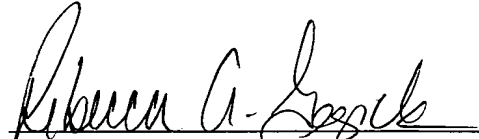
Notwithstanding 37 C.F.R. 1.27(g)(1), Applicant/Patentee has calculated a deficiency payment for each fee paid to the U.S. Patent and Trademark Office after his entity status changed to large entity as follows:

Description of Fee Paid	Amount Paid	Current Fee	Deficiency Owed
Fee for addition of two (2) independent claims added in the Amendment filed on October 3, 2003.	\$86.00	\$172.00	\$86.00
Request for Three-Month Extension of Time to Respond to Office Action dated April 3, 2003	\$475.00	\$950.00	\$475.00
TOTAL	\$561.00	\$1,122.00	\$561.00

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s), past or present, or credit any overpayment to Deposit Account No. 13-1940.

Respectfully Submitted,

TIMOTHY J. MARTIN, P.C.



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CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8

I hereby certify that the foregoing **PETITION PURSUANT TO 37 C.F.R. § 1.28 FOR PAYMENT OF DEFICIENCIES (3 pages) and CHECK NO. 18224 IN THE AMOUNT OF \$561.00** is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 8th day of March, 2004.

Marcie F. King
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